

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

TIFFANY CUNDIFF,

Plaintiff,

v.

Case No. 2:24-cv-289

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Elizabeth Preston

Deavers

FRANKLIN COUNTY BOARD  
OF COMMISSIONERS, *et al.*,

Defendants.

**ORDER**

This matter is before the Court for consideration of Defendants Franklin County Corrections Center, Franklin County Sheriff's Office, and Franklin County's Motion to Dismiss for Failure to State a Claim. (ECF No. 3.) Because Plaintiff amended her complaint to remove the defendants who moved to dismiss, the Court hereby **DENIES as moot** the Motion. (ECF No. 3.)

The Motion to Dismiss was originally filed in the Franklin County Court of Common Pleas. (*See* Not. of Removal, ECF No. 1.) Plaintiff subsequently amended her complaint and named the following defendants: Franklin County Board of Commissioners, Naphcare, Inc., Armor Correctional Health Services, Inc., Asha J. Kosgey, Wendy K. Shackleford, Susan L. O'Brien, Kahlin A. Kelly, Ujwala Pagedar, Benjamin S. Latelle, Gabrielle M. Poliseno, Amy L. Garbrecht, Mikael White-Davis, Deanna R. Littick, and several John Doe Corporations and Individuals. (Am. Compl., ECF No. 6, at PageID # 127–32.) Plaintiff did not name Franklin County, Ohio, Franklin County Sheriff's Office, or Franklin County Corrections Center as defendants. (*See id.*)

Accordingly, because Franklin County Corrections Center, Franklin County Sheriff's

Office, and Franklin County are no longer parties to the case, the Court **DENIES as moot** their Motion (ECF No. 3.) The Clerk is **DIRECTED** to **TERMINATE** Franklin County Corrections Center, Franklin County Sheriff's Office, and Franklin County, Ohio from this case. All other defendants, including Franklin County Board of Commissioners, remain as parties to this case.

This case remains open.

**IT IS SO ORDERED.**

6/12/2024  
**DATED**

s/Edmund A. Sargus, Jr.  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**